

REMARKS

Applicant acknowledges with thanks examiner's allowance of claims 11-14, 16, 19 and 20.

Claims 1-7, 9-17 and 19-25 are pending. Claims 1, 11 and 21 are independent.

The examiner rejected claims 4-5, 7, 15, and 17 under 35 U.S.C. §112, second paragraph, on the ground that it is not clear whether the optional token recited in those claims is an essential part of the invention or not.

In response, applicant amended claims 4-5, 7, 15 and 17 to replace the wording "an optional token" with "a token" to clarify that the applicant's "token" is an element included in these claims.

With the amendments to claims 15 and 17, applicant submits that claims 15 and 17 are allowable as depending from an allowed independent claim.

The examiner rejected claims 21-25 under 35 U.S.C. §112, second paragraph, on the ground that there is an insufficient antecedent basis for the term "the bit" appearing in line 5 of independent claim 21.

Independent claim 21 recites "evaluate **a bit** of one of the registers of the register stack, **the specified bit** designated to use as a branch control bit, **the bit** and the one of the registers of the stack being specified in the branch instruction" (emphasis added). Thus, the wording "the bit" does in fact have an antecedent basis. However, to avoid confusion, applicant amended independent claim 21 to remove the word "specified" appearing before the word "bit" at lines 6 and 9 of the claim.

With the amendment to independent claim 21, applicant considers independent claim 21 to be allowable. Applicant also considers claims 22-24 to be allowable as depending from an allowable independent claim.

Additionally, the examiner objected to claim 25 on the ground that the recitation "the one of the registers" is grammatically improper. Applicant notes that claim 21, from which claim 25 depends, recites "evaluate a bit of **one of the registers** of the register stack" (emphasis added). Thus, an antecedent basis for "one of the registers" is defined in independent claim 21.

Applicant therefore contends that to amend "the one of the registers" to "one of the registers" in claim 25 may result in confusion as to whether "one of the registers" recited in claim 25 is the same or different from the "one of the registers" recited in claim 21. Accordingly, to avoid any indefiniteness problems under 35 U.S.C. §112, second paragraph, applicant submits that the recitation provided in claim 25 is proper, and requests that the examiner's objection to claim 25 be withdrawn.

Applicant thus considers claim 25 to be allowable as depending from allowable independent claim 21.

The examiner rejected claims 1-7 and 9-10 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,577,189 to Cocke et al.

Specifically, with respect to applicant's arguments presented in applicant's Amendment in Reply to Action of June 27, 2006, the examiner stated:

Applicant argues, "Cook's branch instructions do not specify a selected register because the register used for evaluating branch conditions is always the condition register."

It is noted that the cited portion of Cooke, column 4, lines 49-64 continue on to describe, in lines 64-67, that the K field designates one of a plurality of registers, the content of which...is used to compute the effective branch address. Given the K-field is a part of the branch instruction, it is evident to the Examiner that the register does specify a selected register.

It is also noted that claim 1 does not have the same limitations that claims 11 and 21 have, where the specified register is specified by a branch instruction. The interpretation used for claim 1 is that the condition register is the specified register. The Applicant correctly states that the condition register is the default register. The condition register must still be specified in some sort of manner to be used. A default setting still specifies a setting. The distinction between claim 1 and claims 11 and 21 is that the latter claims have the limitation that the specified register is explicitly specified in a branch instruction, which is not taught by Cooke. (Final Action, Page 4)

In response, applicant amended independent claim 1 to clarify that the branch instruction specifies the register with respect to which the branching decision is based.

As the examiner recognized, Cocke does not teach that a register is specified in Cocke's branch instructions. Indeed, as applicant explained in applicant's Amendment in Reply to Action of June 27, 2006, because the register used for evaluating branch conditions in Cocke's

branch instructions is always the Condition Register, Cocke's branch instructions do not specify a selected register, nor would they have to specify a selected register. Thus, Cocke does not disclose or suggest at least the feature of "the branch instruction specifying the register and the bit of the register to use as a branch control bit," as required by applicant's independent claim 1.

Accordingly, with the above-indicated amendment to independent claim 1, applicant considers independent claim 1 to patentable over the cited art. Claims 2-7 and 9-10 depend from independent claim 1 and are therefore patentable for at least the same reasons as independent claim 1.

As stated in MPEP 714.12, discussing 37 CFR § 1.116, "[a]ny amendments that will place the application either in condition for allowance or in better form for appeal may be entered." Because applicant amended independent claim 1 to include features similar to those recited in allowed claim 11, applicant contends that the amendments made (to claim 1 and the other amended claims) put the application in condition for allowance and are thus of the kind governed by the provisions of 37 CFR § 1.116. Applicant, therefore, respectfully requests entry of the amendments and allowance of the application.

It is believed that all the rejections and/or objections raised by the examiner have been addressed.

All of the dependent claims are patentable for at least the reasons for which the claims on which they depend are patentable.

Canceled claims, if any, have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

Applicant : Gilbert Wolrich et al.
Serial No. : 10/069,195
Filed : November 7, 2002
Page : 9 of 9

Attorney's Docket No.: 10559-304US1 / P9625US

No fee is believed due. Please apply any other required fees to deposit account 06-1050,
referencing the attorney docket number shown above.

Respectfully submitted,

Date:

January 2, 2002

Ido Rabinovitch

Ido Rabinovitch

Attorney for Intel Corporation

Reg. No. L0080

PTO Customer No. 20985
Fish & Richardson P.C.
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

21924257.doc